

THE FOLLOWING ORDER  
IS APPROVED AND ENTERED  
AS THE ORDER OF THIS COURT:



DATED: July 26, 2010

  
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Honorable Pamela Pepper  
Chief United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

In Re:

CASE NO. 10-27305-PP

JANEL L. SCOTT and  
RITCHIE SCOTT

CHAPTER 7

Debtors.

ORDER GRANTING U.S. BANK, NATIONAL ASSOCIATION  
RELIEF FROM AUTOMATIC STAY AND ABANDONMENT

This case came before the Court on the Amended Motion for Relief from Automatic Stay and for Abandonment (the “Motion”) filed by U.S. Bank, National Association (hereinafter “Creditor”), dated July 6, 2010.

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The Court, after reviewing the record in this case, including the above-mentioned Motion, finds in this matter that notice and opportunity for hearing to the parties in interest was appropriate in the circumstances, that no objections were timely raised against said Motion; that Creditor seeks an Order terminating the stay of proceedings under 11 U.S.C. § 362 and requiring the Trustee to abandon the estate's interest in the Collateral under U.S.C. § 554, so as to allow Creditor (and its principals, successors, assigns and/or the holder of the mortgage) to proceed with foreclosure and to enforce rights, interests, claims and liens against the property commonly known as 5150 North 56<sup>th</sup> Street, Milwaukee, Wisconsin 53218, owned by Janel L. Scott, with a marital property interest, if any, to Ritchie Scott (herein the "Debtors"); that it appears the Debtors have no equity in the property subject to the loan and security documents described in the Motion; that said property is not necessary for an effective reorganization of the Debtors or their estate; the mortgage interest and lien in and against the subject property cannot be adequately protected by the Debtors or the bankruptcy estate; that the property is burdensome or of inconsequential value and benefit to the bankruptcy estate; and that Creditor should be allowed the relief it seeks. Therefore, it is hereby

**ORDERED:**

That the Amended Motion for Relief from Automatic Stay and for Abandonment filed by U.S. Bank, National Association ("Creditor"), and dated July 6, 2010, be and hereby is granted; that the stay of proceedings under 11 U.S.C. § 362 is terminated, so as to allow Creditor (and its principals, successors, assigns and/or the holder of the mortgage) to enforce rights, interests, claims and liens in and against the property commonly known as 5150 North 56<sup>th</sup> Street, Milwaukee, Wisconsin 53218, owned by Janel L. Scott, with a martial property interest, if any, to Ritchie Scott (the "Debtors"), subject to the real estate mortgages dated March 27, 2006,

recorded on April 5, 2006, in the Office of the Register of Deeds for Milwaukee County, as Document No. 9212942 and Document No. 0212943, in accordance with the terms of the loan and security documents and applicable state law, including but not limited to proceedings to foreclose and liquidate the property, and the application of the proceeds to the indebtedness owed by the Debtors; that the Trustee abandon the estate's interest in the above-referenced property and the entry of this Order shall constitute said abandonment pursuant to 11 U.S.C. § 554;

IT IS FURTHER ORDERED that the Court waives the 14-day stay regarding orders granting a Motion for Relief from Automatic Stay, as referenced in Federal Rule of Bankruptcy Procedure 4001(a)(3).

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